UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,292	08/31/2001	Mark Bykerk Kauffman	10005480-1	2119

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EXAMINER
LY, ANH

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 July 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed on 07/07/2004 have been fully considered but they are not persuasive.

Applicant argued that, "No valid suggestion has been made as to why a combination of Knutson and Bleizeffer is desirable." (Page 7, lines 16-17).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Knutson and Bleizeffer are from the same field of endeavor and both are directed to graphical user interface. One having ordinary skill in the art would have found it motivated to combine the teachings of Knutson and Bleizeffer because that would provide Knutson's system the enhanced capability of reducing to code the program statements using a software application, thereby generating a report. Moreover, the examiner kindly submits that the applicants misread the applicable references used in the last office action. However, when read and analyzed in light the specification, the invention as claimed does not

support applicant's assertions. Actually, applicants are interpreting the claims very

narrow without considering the broad teaching of the references used in the rejections.

Additionally, it is important to note that the examiner interpretation of the claims,

wherein, the examiner explicitly stated passages in the cited references which were not

even addressed. The aforementioned assertion wherein all the limitations are not taught

or suggested by the prior of record, was unsupported by objective factual evidence and

was not found to be substantial evidentiary value. The examiner has provided in the last

office action, a convincing one of reasoning as to why the artisan would have found the

claimed invention to have been obvious in light of the teachings of the cited references.

Applicants are reminded that 37 CFR 1.111(b) states, a general allegation that the

claims define a patentable invention without specifically printing out how the language of

the claims patentably distinguishes them from the references does not comply with the

requirements of this section. Therefore, the applicants have failed to provided prima

facie evidence how the language of the claims patentably distinguished them from the

cited references. Hence, the applicants' assertions are just mere allegation with no

supported fact.

Applicant argued that, "this combination does not teach or suggest all limitations

of the claimed invention." (Page 7, lines 23-24).

Knutson et al. of 5,870,746 teaches text generation, the first generator, from data

within the report generation subsysyem via a tool for creating reports which employs a

GUI (col. 6, lines 62-67, col. 7, lines 1-10; also see figs 6-12; also col. 15, lines 63-65);

and report generator makes a metadata report to return the set of segments and the

additional information to guide the report generator having a selection of a choice for a graph to be produced (col. 15, lines 62-67 and col. 16, lines 1-54). While Bleizeffer teaches graph generator generating graphic report format via Graphical User Interface (GUI) and report creator: col. 6, lines 61-67 and col. 7, lines 1-38; also see fig. 3 and fig. 5). Both references teach about generating report system using GUI interface to produce the reports including graph, text and/or table elements.

Applicant argued that, "the combination of references does not teach a first interface and a second interface as claimed." (Page 8, lines 4-5, lines 21-22 and lines 24-25).

Both references, Knutson and Bleizeffer, teaches GUI and program modules from which the system use them to generate the desired report. GUI module is operably coupled to the input and output devices to allow the user to interact with the report generator, graph generator. Within the windows of GUI-based, each window has a pull-down menus, buttons and icons from which the user could be get to another program module via clicking the mouse to get into another interface to do something else such as selecting the type of report.

2.   Claims 1-21 are pending in this application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 5,870,746 issued to Knutson et al. (hereinafter Knutson) in view of US

Patent No. 6,539,371 issued to Bleizeffer et al. (hereinafter Bleizeffer).

With respect to claim 1, Knutson a first generator, operably linked through a first

interface to one or more associated first type components, which invokes at least one

first type component to generate a report element of a first type (text generation, the first

generator, from data within the report generation subsysyem via a tool for creating

reports which employs a GUI: col. 6, lines 62-67, col. 7, lines 1-10; also see figs 6-12;

also col. 15, lines 63-65).

and wherein said first and second generators each invoke at least one

component in response to processing first and second type included component

sections that respectively identify the at least one first and second type components to

be invoked (the report generator of the DAI subsystem received the data and when a

user's analyst is used to select definition or elements in the system. Report generator

makes a metadata report to return the set of segments and the additional information to

guide the report generator having a selection of a choice for a graph to be produced:

col. 15, lines 62-67 and col. 16, lines 1-54).

Knutson teaches the creation of reports from the Graphical User Interface from

which the report generator received data from DAI system and generates output that it

may specify such as text, graphs or tables as appropriate output. That is, the report

generation has a selection of choice for creating of graph (col. 16, lines 40-50). Knutson

does not explicitly teach a second generator, operably linked through a second interface

to one or more associated second type components, which invokes at least one second

type component to generate a report element of a second type.

However, Bleizeffer teaches graph generator generating graphic report format via

Graphical User Interface (GUI) and report creator (col. 6, lines 61-67 and col. 7, lines 1-

38; also see fig. 3 and fig. 5).

Therefore, It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Knutson with the

teachings of Bleizeffer so as to obtain the graph generator generating the desired

graphic format report via GUI. The motivation being to allow user to made decisions

based on the generating a report.

With respect to claim 2, Knutson teaches wherein the invoked at least one first

and second type components acquire data from a collected data record and generate

the report elements based on said acquired data (the relational database including a

plurality of records from which the report generator retrieved data record and generated

an output report format: col. 5, lines 32-38 and col. 6, lines 11-15).

With respect to claim 3, Knutson teaches wherein the collected data record is associated with the first and second type included component sections (text and graphics or tables and graphs: col. 6, lines 11-15).

With respect to claim 4, Knutson teaches wherein the generated report elements are adapted to be combined with a report template file that is associated with the collected data record (using the template in order to specify the creation of a graphic report: col. 16, lines 38-50).

With respect to claim 5, Knutson teaches wherein the report template file includes at least one of at least one constant information section, at least one first type information field and at least one second type information field wherein the at least one first type and at least one second type information fields receive the generated at least one first and second type report elements (in display area containing a list of information, analysts within a selected folder and Time Interval field are constant information section and options of generating of report: col. 17, lines 32-67 and col. 18, lines 1-56).

With respect to claim 6, Knutson teaches wherein the one or more first type components generate one of graph elements, text elements, and table elements (col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15 and col. 16, lines 8-12).

With respect to claim 7, Knutson teaches wherein the one or more second type components generate one of text elements, graph elements, and table elements (col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15 and col. 16, lines 8-12).

With respect to claim 8, Knutson teaches a third generator operably linked through a third interface to one or more associated third type components, which invokes at least one third type component to generate a report element of a third type (see figs 6-12 and col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15).

With respect to claim 9, Knutson teaches wherein the one or more third type elements generate one of: text elements; graph elements; and table elements (col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15 and col. 16, lines 8-12).

With respect to claim 10, Knutson discloses a system as discussed in claim 1.

Knutson teaches the creation of reports from the Graphical User Interface from which the report generator received data from DAI system and generates output that it may specify such as text, graphs or tables as appropriate output. Knutson does not explicitly teach wherein the system is implemented by a memory storage device having executable instructions.

However, Bleizeffer teaches processor for executing instructions and a memory device having thereon modules of operational data and executable code for execution by the processor (col. 3, lines 1-4 and col. 4, lines 47-62; also see fig. 1 and abstract).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Knutson with the teachings of Bleizeffer so as to obtain the executable code storing in several memory devices and a graph generator generating the desired graphic format report via GUI. The motivation being to allow user to made decisions based on the generating a report.

With respect to claim 11, Knutson teaches wherein the first and second included component sections are contained in a common included components record (the relational database including a plurality of records from which the report generator retrieved data record and generated an output report format: col. 5, lines 32-38 and col. 6, lines 11-15 and field in the records).

With respect to claim 12, Knutson teaches a first generator, operably linked through a first interface to one or more associated first type components for invoking at least one first type component to generate a report element of a first type and a database having at least one included components record, wherein said first and second generators each invoke at least one component in response to processing a selected one of the at least one included components records and the selected one included components record identifies the at least one first and second type components to be invoked (text generation, the first generator, from data within the report generation subsysyem via a tool for creating reports which employs a GUI: col. 6, lines 62-67, col. 7, lines 1-10; also see figs 6-12; also col. 15, lines 63-65 and the report generator of the DAI subsystem received the data and when a user's analyst is used to select definition or elements in the system. Report generator makes a metadata report to return the set of segments and the additional information to guide the report generator having a selection of a choice for a graph to be produced: col. 15, lines 62-67 and col. 16, lines 1-54; and database resin server computers: col. 4, lines 30-32).

Knutson teaches the creation of reports from the Graphical User Interface from which the report generator received data from DAI system and generates output that it

may specify such as text, graphs or tables as appropriate output. That is, the report

generation has a selection of choice for creating of graph (col. 16, lines 40-50). Knutson

does not explicitly teach a second generator, operably linked through a second interface

to one or more associated second type components for invoking at least one second

type component to generate a report element of a second type.

However, Bleizeffer teaches graph generator generating graphic report format via

Graphical User Interface (GUI) and report creator (col. 6, lines 61-67 and col. 7, lines 1-

38; also see fig. 3 and fig. 5).

Therefore, It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Knutson with the

teachings of Bleizeffer so as to obtain the graph generator generating the desired

graphic format report via GUI. The motivation being to allow user to made decisions

based on the generating a report.

With respect to claim 13, Knutson teaches wherein the invoked at least one first

and second type components generate their respective report element from data

acquired from a collected data record that is associated with the selected one included

components record (the relational database including a plurality of records from which

the report generator retrieved data record and generated an output report format: col. 5,

lines 32-38 and col. 6, lines 11-15).

With respect to claim 14, Knutson discloses wherein the generated report

elements are adapted to be combined with a report template file that is associated with

both the collected data record and selected one included components record (using the template in order to specify the creation of a graphic report: col. 16, lines 38-50).

With respect to claim 15, Knutson teaches wherein the report template file includes at least one of: at least one constant information section, at least one first type information field, and at least one second type information field, wherein at least one first type and at least one second type information field receive the generated at least one first and second type report elements (in display area containing a list of information, analysts within a selected folder and Time Interval field are constant information section and options of generating of report: col. 17, lines 32-67 and col. 18, lines 1-56).

With respect to claim 16, Knutson teaches wherein the one or more first type component generates a graph element, and the one or more second type component generates a text element (col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15 and col. 16, lines 8-12).

With respect to claim 17, Knutson teaches a variable definitions database for providing first and second type element information to the first and second type components (col. 5, lines 12-18 and lines 58-64, col. 6, lines 11-15 and col. 16, lines 8-12; and also in display area containing a list of information, analysts within a selected folder and Time Interval field are constant information section and options of generating of report: col. 17, lines 32-67 and col. 18, lines 1-56).

With respect to claim 18, Knutson teaches processing a first type included components section that identifies at least one type component and invoking the

identified at least one first type component to generate at least one corresponding first

type report element (text generation, the first generator, from data within the report

generation subsysyem via a tool for creating reports which employs a GUI: col. 6, lines

62-67, col. 7, lines 1-10; also see figs 6-12; also col. 15, lines 63-65);

operably combining said generated first and second type report elements with a

report template file that is associated with the first and second included components

sections to generate the report (the report generator of the DAI subsystem received the

data and when a user's analyst is used to select definition or elements in the system.

Report generator makes a metadata report to return the set of segments and the

additional information to guide the report generator having a selection of a choice for a

graph to be produced: col. 15, lines 62-67 and col. 16, lines 1-54; and database resin

server computers: col. 4, lines 30-32; and using the template in order to specify the

creation of a graphic report: col. 16, lines 38-50).

Knutson teaches the creation of reports from the Graphical User Interface from

which the report generator received data from DAI system and generates output that it

may specify such as text, graphs or tables as appropriate output. That is, the report

generation has a selection of choice for creating of graph (col. 16, lines 40-50). Knutson

does not explicitly teach processing a second type included components section that

identifies at least one second type component and invoking the identified at least one

second type component to generate at least one corresponding second type report

clement.

However, Bleizeffer teaches graph generator generating graphic report format via Graphical User Interface (GUI) and report creator (col. 6, lines 61-67 and col. 7, lines 1-38; also see fig. 3 and fig. 5).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Knutson with the teachings of Bleizeffer so as to obtain the graph generator generating the desired graphic format report via GUI. The motivation being to allow user to made decisions based on the generating a report.

With respect to claim 19, Knutson teaches wherein the act of operably combining includes: processing the report template file with a word processing program that retrieves the generated first and second type report elements (using the template in order to specify the creation of a graphic report: col. 16, lines 38-50).

With respect to claim 20, Knutson teaches wherein the first and second type included components sections are part of a common included components record (the relational database including a plurality of records from which the report generator retrieved data record and generated an output report format: col. 5, lines 32-38 and col. 6, lines 11-15 and field in the records).

With respect to claim 21, Knutson teaches acquiring data from a collected data record that is associated with the report template file, wherein the generated report is based on the acquired data (col. 5, lines 32-38, col. 6, lines 11-15; using the template in order to specify the creation of a graphic report: col. 16, lines 38-50).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV **or fax to (571) 273-4039**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306

JEAN M CORRIELUS
PRIMARY EXAMINER

ANH LY
DEC. 15th 2004